IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 417 OF 2003

MRS. MARIA MENEZES AND ORS., ...Petitioners

Versus

SHRI ERIC FERNANDES AND ANR., ...Respondents

MR.J.GODINHO,MR.SUDESH USGAONKAR,R.2

Coram:- R. J. KOCHAR, J.

Date:- 13th November, 2003

I find no reason to interfere with the impugned order in exercise of writ jurisdiction in the fact situation of the present case, specially for the reasons recorded by the Court below in paragraph 9 of the impugned Judgment. The only indulgence that can be shown in this petition, is to observe that any observation made by the Court below in the impugned Judgment, which is adverse to the petitioners shall not affect the merits of the proceedings which are pending before the lower Court and the same shall be decided on the basis of evidence that would come on record on its own merits in accordance with law.

Petition disposed of accordingly.

It is also clarified that it will be open to the petitioners at appropriate stage to take recourse to such remedy

as may be permissible by law, if so advised.

R. J. KOCHAR, J.